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SUBJECT: AG GONZALES MEETS WITH PROSECUTOR GENERAL
RIGHI AND OFFERS ASSISTANCE TO GOA FOR JUDICIAL TRANSITION

¶1. (SBU) SUMMARY: Attorney General Alberto Gonzales met with Argentine Prosecutor General Esteban Righi on February 7 and discussed the challenges that the GOA faces with its transition to an accusatorial justice system. The AG offered U.S. assistance to help with the transition, as well as training for extradition

requests. The AG invited Argentine prosecutors to visit the FBI and USDOJ headquarters to learn more about how the USG prosecutes terrorism cases and invited that GOA to join the G-8's 24/7 high tech crime network to report cybercrime. END SUMMARY.

GOA supports Judicial Reform, But Will Take Time

¶2. (SBU) On February 7, Attorney General Alberto Gonzales, along with the Ambassador and other senior members of the Department of Justice met with Prosecutor General Esteban Righi to discuss judicial reform issues. Righi began by noting that the Argentine public has largely discredited the inquisitorial system due to substantial delays in bringing cases to trial. His office is working to shorten pre-trial investigations in addition to working with the Minister of Justice who has the lead in implementing the GOA's transition from an inquisitorial to an accusatorial system. Initial reforms are planned for federal criminal cases and those within the City of Buenos Aires. Although no Constitutional change is required, laws need to be passed and public debate is required to determine the scope of the reforms, he said. Righi asserted that the GOA should shape the debate by explaining that the reforms are necessary in order to improve public administration and judicial efficiency. In addition, reforms ensuring that justice is served will help combat widespread public perception that elites regularly escape justice by ensuring that justice is served.

¶3. (SBU) Adopting a U.S.-style system, where the prosecutor and judge are separate and independent entities, takes time to have an effect, especially when the GOA has to gain the support of those charged with implementing the reforms, Righi continued. The Argentine public, however, mistakenly expects that the changes will instantly solve the judicial system's problems.

¶4. (SBU) While the GOA is committed to the reforms in principle, Righi indicated that the Kirchner administration seems to have placed judicial and procedural reforms on the backburner given that 2007 is an election year. He also observed that many are unaware of the impact the reforms will have on secondary issues. One of the major difficulties in the transition is the largely unexamined impact the reforms will have on budget allocations, including who gains and loses funds.

¶5. (SBU) When the AG asked how the USG can help, Righi answered that Argentina needs to learn more about the U.S. justice system, and change the common public perception that the start of a trial is an indication of guilt. The GOA must learn more about the function and

use of plea bargains and Argentines must learn that very few prosecutions end in a jury trial in the United States. The AG stated that the USG has provided assistance to other countries undergoing a similar transition in their judicial systems and that the USG could provide similar assistance to Argentina. Righi expressed appreciation for USG assistance.

AG Offers Trip to FBI HQ and Extradition and Prosecution Assistance

¶16. (SBU) On extraditions, Righi suggested that the GOA and USG identify problems and explore solutions to expedite extraditions. Most problems are technical, not legislative. He suggested that the Prosecutor General's office would benefit from more training in how to submit extradition requests. Alice Fisher, Assistant Attorney General for the Criminal Division, stated that USDOJ's Office of International Affairs could provide that kind of training. The Attorney General added that the USG would help where it can while respecting Argentina's sovereignty.

¶17. (SBU) The AG invited Argentina to join the G-8's 24/7 high tech crime network to report cybercrime. Righi stated he would look into it. AAG Fisher noted that the DOJ is sending, for two years, an experienced prosecutor to the Tri-Border area to be based in Paraguay who can assist Argentina, Brazil and Paraguay with prosecutions. AAG Fisher also invited prosecutors from Argentina to visit the FBI and DOJ headquarters to learn more about U.S. counterterrorism prosecution efforts.

AG Praises AMIA Special Prosecutor

¶18. (SBU) AG Gonzales concluded the meeting by praising the Special Prosecutor for the 1994 terrorist bombing of the Argentine-Israeli Mutual Association efforts to bring the perpetrators to justice,

with Righi asserting that the GOA has provided the necessary resources to the AMIA Special Prosecutor to ensure justice is served.

¶19. (U) The Attorney General has not cleared on the language of this cable.

WAYNE